

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE SUBOXONE (BUPRENORPHINE  
HYDROCHLORIDE AND NALOXONE)  
ANTITRUST LITIGATION**

**THIS DOCUMENT RELATES TO:,**

*Wisconsin, et al v. Indivior Inc. et al.*

**STATE OF WISCONSIN**

**By Attorney General Brad D. Schimel, et al.,  
Plaintiffs,**

**v.**

**INDIVIOR INC. f/k/a RECKITT  
BENCKISER PHARMACEUTICALS, INC.;  
et al.,**

**Defendants.**

**MDL No. 2445**

**Master File No. 2:13-MD-2445-MSG**

**Case No. 2:16-cv-5073-MSG**

**Civ. A. No. 2:16-cv-5073-MSG**

**INDIVIOR PLC'S MOTION TO DISMISS  
THE STATE PLAINTIFFS' FIRST AMENDED COMPLAINT**

Pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, Defendant Indivior PLC hereby moves the Court for an order dismissing the State Plaintiffs' Complaint. The grounds supporting this request are set forth more fully in the accompanying Memorandum in Support and in the memorandum submitted by Indivior Inc. in support of its motion.

1. The States' claims should be dismissed for failure to state a claim against any party for the reasons given in Indivior Inc.'s Motion to Dismiss, hereby incorporated by reference.

2. Indivior PLC is entitled to dismissal independent of Indivior Inc.'s arguments. All of the conduct alleged in the complaint occurred before Indivior PLC was incorporated, and the State Plaintiffs have failed to allege any fact suggesting that Indivior PLC would be liable for the conduct of the entities that existed at the relevant time.

This Motion will be served on opposing counsel via electronic mail, with consent.

WHEREFORE, Indivior PLC respectfully requests that the Court grant this motion and dismiss the State Plaintiffs' First Amended Complaint.

Dated: December 12, 2016

Respectfully submitted,

/s/ Jonathan Berman

Kevin D. McDonald

Jonathan Berman

Mark R. Lentz

JONES DAY

51 Louisiana Avenue, N.W.

Washington, D.C. 20001.2113

Telephone: +1.202.879.3939

Facsimile: +1.202.626.1700

*Counsel for Defendant*

*INDIVIOR PLC.*

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**CERTIFICATE OF SERVICE**

I, Mark R. Lentz, do hereby certify that on this 12<sup>th</sup> day of December, 2016, I served a true and correct copy of the foregoing document upon all counsel of record via the Court's ECF system, and to lead counsel for plaintiffs via email.

/s/ Mark R. Lentz  
Mark R. Lentz  
*Attorney for Defendant Indivior PLC*